

REMARKS

Applicants have carefully reviewed the Office Action dated November 18, 2002. Applicants have amended Claims 1, 8 and 9 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Regarding the drawings, Applicants point out respectfully that formal drawings were filed in the U.S. Patent & Trademark Office according to the return post card bearing the OIPE stamp and the date received thereon, April 23, 2001. Applicants request the receipt of the formal drawings be acknowledged.

Claims 1-9 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,978,773, Hudetz et al. (*Hudetz*). Applicants respectfully traverse this rejection with respect to the amended claims as follows.

Applicants' invention, as defined by the amended claims, is directed toward the system that utilizes a machine resolvable code such as a bar code to obtain product information therefrom as the bar code is utilized expressly for the purpose of identifying a product. This information is obtained through the use of a scanning device. The scanned bar code is then decoded such that the information can be then used for the purpose of determining a location on a network. This location information is determined through the use of a relational database that creates a relation between a product code and a routing code such as a URL. The claims set forth that the intermediate node contains the functionality of directing the user node to the remote node or remote location on the network. This is facilitated by transmitting an instructional code back to the user PC to instruct the user PC to "jump" to a different location. Therefore, the user PC automatically connects to the intermediate node based upon the step of decoding, and this decoded information is then transmitted to the intermediate node. At the intermediate node, the decoded information is utilized to determine the remote location to which the user PC is to be routed. Once this is determined, then the intermediate node is the node that controls the operation of the user PC and causes the user PC to be

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connected to the remote node. Therefore, a manufacturer can, through manipulation of the database, determine which node the user PC is routed to, this operation is completely outside of the control of either the user or the user's PC. Thus, the operation at the user's PC is transparent to the user, *i.e.*, the user is transferred to that location regardless of whether the user wishes to go to that location or whether the software controls the operation.

The support for the automatic jumping in Applicants' claims can be found in Figs. 4a-4b and the disclosure on page 19, lines 5-8.

The *Hudetz* reference describes a system that allows the user to be connected to a remote location. However, it is the manner by which this connection is made that distinguishes Applicants' system over *Hudetz*. In *Hudetz*, it is clearly set forth that the server, whether it be local or remote, handles a query and will provide access to an HTML document. This HTML document is the technique by which the server stores information. This is set forth at Col. 7, lines 43-48. In one embodiment, the query page (HTML document) is set forth as being displayed on the CRT, the purpose of this being that a particular product code may be associated with multiple URLs and this provides the user with the ability to review the HTML document that was returned in order to determine which location is the correct location. The graphical depiction of the display that is returned can be seen in Fig. 4. Clearly, the only disclosure in *Hudetz* with respect to what is stored in the database (60) and capable of being returned to the user is an HTML document. This is further set forth at Col. 8, lines 49-50 wherein it states that: "The records are conveyed to the user in the form of an HTML document." There is no disclosure in *Hudetz* that provides for the return of a URL by any other method. As such, in the primary embodiment, all the user receives back from the server is information that can be displayed and then the user is required to select information therefrom. This operation certainly is not transparent to the user and there is no control over the redirection exercised by the server, which server in *Hudetz* corresponds to the intermediate node in Applicants' claims. However, there is one aspect or alternate embodiment that was set forth in *Hudetz*, beginning at Col. 9, line 54, entitled "Automatic Jumping to Desired Location." This is set forth as follows:

In the disclosed embodiment, the URL associated with a selected UPC product identification code is returned to the end user in an HTML document at block 88 of FIG. 5. The user can then hypertext link to the site corresponding to the URL. Alternatively, instead of displaying query results at step 90 (of FIG. 5), browser software in local hosts can automatically load the retrieved URL and point the user to the site corresponding to that URL. An additional field in database 60 can provide a code indicating whether this feature should be enabled or disabled for a particular URL. (Col. 9, lines 54-64).

This paragraph is the only paragraph that would arguably be relevant to the automatic redirection in Applicants' operation. However, this clause must be read in light of the specification of *Hudetz*. First, *Hudetz* only discloses the return of an HTML document. There is no disclosure nor suggestion for returning anything other than an HTML document. An HTML document in and of itself cannot provide any command information; rather, it is only information that is returned to the user's PC and the user's PC then must determine what to do with this information. The step of doing a hypertext link to the site corresponding to the URL is a user selectable operation that was described in the primary embodiment of *Hudetz* that required the display of one or more URLs in association with a particular product code. The alternate operation is merely one that does not display the query results. First, there is a problem with this alternate operation in that there is no disclosure as to how the automatic delivery will be achieved. Since the only disclosure is to return a hypertext link that may include one or more URLs associated with a particular product code, the question is "How does the system handle multiple URLs? Does it open multiple pages, select one from the other?; How does the user's PC handle an HTML document to extract URLs therefrom?" There really is no answer for this and only extrapolation of the operation would yield an answer, which requires that operational information be "read into" the existing specification. *Hudetz* further states that an additional field can be disposed in the database to provide a code that *indicates* whether this feature should be enabled or disabled. This, again, is a statement that has little or no disclosure as to how disabling or enabling will occur nor exactly how the field will be handled at the user's PC. The only thing that can be interpreted from this, which Applicants believe is a speculation at best, is that a flag is disposed in a particular field in association with each product code indicating that this product code is subject to the alternate operation. Therefore, when the HTML document is returned (and only an HTML document is ever disclosed as being returnable in *Hudetz*) can the user's PC then

examine the returned HTML document to determine what action to take. It may be that the existence of this flag causes the software to then make a decision to automatically access all of the URLs in the HTML document associated with that code, or it may be that the user has to actually activate this feature during setup. In any event, the intermediate site provides no control over whether the site is automatically accessed. Some operation (although none is disclosed) must be taken at the user's PC in order for access to occur. First, even though the user may not actively select the feature after scanning, this feature is internal to the user PC, and an operation that must be performed at the user PC, since it is clear that no command information is disclosed as being returned. Therefore, a manufacturer has no control over whether the software will actually automatically jump to their location and, as such, the server node has no control over whether a user is actually connected to the location associated with the code. It may be that the software has that function disabled therein (noting again that whether the software disables or enables is not disclosed). Further, even if the feature is enabled, the field indicating the automatic jump is set, the decision still must be made at the user's PC and not at the server node. Thus, Applicants' device, as defined by the amended claims, is a "push" operation that pushes the user's PC to the location associated with the code without requiring any information at the user's PC, whereas the *Hudetz* operation is a "pull" operation wherein the user's PC pulls the information from the intermediate node and then makes a decision at the user's PC, this decision dependent upon the software. However, all that is disclosed is the operation of display and select. Applicants' invention, as defined by the amended claims, requires no decision by the user's PC or the user once the user PC has forwarded to the intermediate node the product code information. However, Applicants also note that any interpretation of the scant disclosure associated with the automatic jumping operation in *Hudetz* is speculative at best and it is believed that the disclosure in *Hudetz* with respect to this operation is insufficient to enable one skilled in the art to practice such a step.

Therefore, Applicants respectfully submit, in light of the foregoing reasons as they relate to the present amendment, Claim 1 as amended is in condition for allowance over the prior art of record and Applicants respectfully request the withdrawal of the rejection of Claim 1. Further, since the dependent claims 2-9 contain all of the limitations of the base Claim 1 as amended, each of these claims are likewise believed to be allowable over the prior art of record. Therefore, Applicants

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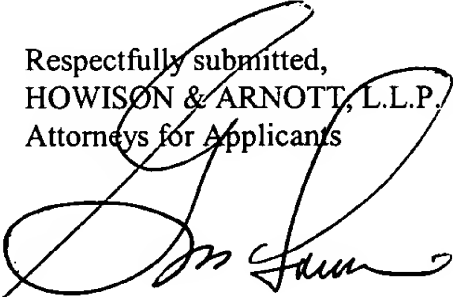
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respectfully request the withdrawal of the rejection as to all of the Claims 1-9 as amended hereinabove.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,747 of HOWISON & ARNOTT, L.L.P.

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